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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/702,462	11/07/2003	Sang Kyun Lee	1630-0833PUS1	8284
2292 7590 08/03/2011 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
CHEEMA, UMAR				
ART UNIT		PAPER NUMBER		
2444				
NOTIFICATION DATE		DELIVERY MODE		
08/03/2011		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

### Office Action Summary

**Application No.**

10/702,462

**Applicant(s)**

LEE ET AL.

**Examiner**

UMAR CHEEMA

**Art Unit**

2444

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 May 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 12-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

**Response to Amendment**

1. This communication is in response to the amendment filed on 05/11/2011.
2. Claims 12-17 are pending in this action.
3. Claims 12, 13, 15 and 16 have been further amended.

**Response to Arguments**

4. Applicant's arguments and amendments filed on 11 May 2011 have been carefully considered but they are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new grounds of rejection as explained here below, necessitated by Applicant's substantial amendment (i.e., *by amending independent claims 12 and 15 to add the new limitations of "determining whether the new device is to be a new network device or a device managing the network and transmitting network state information", has changes the scope of independent claims 12 and 15, and will require further search and consideration*) to the claims which significantly affected the scope thereof.

**Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnard et al. (hereinafter Barnard) (US Pub. No. 2003/0005100 A1) in view of Humpleman et al.

(hereinafter Humpleman) (US Pub. No. 2004/0103184).

6. As to claims 1-11, (Canceled).

7. In choice of compact prosecution, Examiner has chosen particularly relevant prior art to apply, even though the breadth of the claims is such that, non-relevant, well known and widely implemented methodologies were evident at the time the invention was made, and could be used for claim rejection.

8. As to claim 12, Barnard discloses a network system, comprising: a plurality of network devices connected to a network (**Fig. 1**) (see at least ¶ (0009), wherein **managing plurality of network devices connected to the network management device over a network**), each of the plurality of network devices transmitting and receiving data through the network (see at least ¶¶ (0010, 0011), wherein **network device send and receive information messages**); and a managing device configured to manage the network based on network state information (see at least ¶¶ (0011, 0012), wherein the **multiple network management devices to manage and detect all network devices on the network**), wherein when a new device is connected to the network (see at least ¶ (0009), **automatic detection of each new network device on the network**), the managing device determines whether the new device is to be a new network device or a device managing the network, and if the new device is determined to be the device

managing the network, the managing device transmits the network state information to the new device (Fig. 21) (see at least ¶¶ (0009-0014), wherein upon detection of new device, the network management device associated with new device obtain configuration information and capabilities information regarding the detected network device for management of plurality of network devices over a network).

9. Although Barnard teaches the substantial features of the applicant's claimed invention, Barnard fails to explicitly teach wherein the managing device determines whether the new device is to be a new network device or a device managing the network, and if the new device is determined to be the device managing the network.

10. In analogous teaching, Humpleman exemplifies this wherein Humpleman teaches wherein the managing device determines whether the new device is to be a new network device or a device managing the network, and if the new device is determined to be the device managing the network (see at least ¶¶ (0074, 0092, 0112), wherein controlling the various home devices connected to the networking includes determining that a home device is either added to or removed from the home network).

11. Thus, given the teaching of Humpleman, it would have been obvious to a person of ordinary skill person in the art of networking to combine the teaching of Humpleman into Barnard for determination of newly added network devices. One of ordinary skilled in the art would have been motivated because it would have helped to access and managed the home devices that are currently connected to a home network (see Humpleman: ¶ (0011)).

12. As to claim 13, Barnard discloses the network system according to claim 12, wherein when the new device receives the network state information, the new device controls the network based on the received network state information (see at least ¶¶ (0065, 0067)).

13. As to claim 14, Barnard discloses the network system according to claim 12, wherein when the new device is connected to the network, the new device transmits an address of the new device to the managing device (see at least ¶¶ (0010, 0011)).

14. As to claim 15, Barnard discloses a method for configuring a network comprising: entering, by a new device, into the network, wherein a plurality of network devices is connected to the network (Fig. 1) (see at least ¶ (0009), wherein **managing plurality of network devices connected to the network management device over a network**) and each of the plurality of network devices transmits and receives data through the network (see at least ¶¶ (0010, 0011), wherein **network devices send and receive information messages**); determining, by a managing device, whether or not the new device is to be a new network device, or a device managing the network, wherein the managing device manages the network based on network state information (see at least ¶¶ (0011, 0012), wherein **the multiple network management devices to manage and detect all network devices on the network**); and transmitting, by the managing device, the network state information to the entered new device when the new device is determined to be the device managing the network (Fig. 21) (see at least ¶¶ (0009-0014), wherein **upon detection of new device, the network management device associated with new**

**device obtain configuration information and capabilities information regarding the detected network device for management of plurality of network devices over a network).**

15. Although Barnard teaches the substantial features of the applicant's claimed invention, Barnard fails to explicitly teach wherein the managing device determines whether the new device is to be a new network device or a device managing the network, and if the new device is determined to be the device managing the network.

16. In analogous teaching, Humpleman exemplifies this wherein Humpleman teaches wherein the managing device determines whether the new device is to be a new network device or a device managing the network, and if the new device is determined to be the device managing the network (see at least ¶¶ (0074, 0092, 0112), wherein **controlling the various home devices connected to the networking includes determining that a home device is either added to or removed from the home network**).

17. Thus, given the teaching of Humpleman, it would have been obvious to a person of ordinary skill person in the art of networking to combine the teaching of Humpleman into Barnard for determination of newly added network devices. One of ordinary skilled in the art would have been motivated because it would have helped to access and managed the home devices that are currently connected to a home network (see **Humpleman: ¶ (0011)**).

18. As to claim16, Barnard discloses the method according to claim 15, further comprising: controlling, by the new device, the network based on the received network state information (see at least ¶¶ (0065, 0067)).

19. As to claim 17, Barnard discloses the method according to claim 15, further comprising: transmitting, by the new device, an address of the new device to the managing device (see at least ¶¶ (0010, 0011)).

**Conclusion**

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to UMAR CHEEMA whose telephone number is (571)270-3037. The examiner can normally be reached on M-F 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter A. Pappas can be reached on 571-272-7646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/U. C./  
Examiner, Art Unit 2444

/Djenane M Bayard/  
Primary Examiner, Art Unit 2444